

ATTACHMENT 7
MINUTES OF THE MARCH 24, 2014
PLANNING COMMISSION MEETING

3.24.14 PLANNING COMMISSION MEETING MINUTE EXCERPTS

PUBLIC HEARING NO. 3 – 125 East Baker

3. **Application No.:** GP-13-02, R-13-02,
CO-13-02, and PA-13-11
Applicant: Red Oak Investments
Site Address: 125 East Baker Street
Zone: CL (Existing); PDR-
HD (Proposed)
Project Planner: Mel Lee
**Environmental
Determination:** Certify Final Environmental Impact Report

Description: The proposed project is a five-story, 240-unit apartment complex (63-foot maximum height proposed) at a density of 58 dwelling units per acre with a six-story parking structure (57-foot maximum height proposed) with a total of 461 parking spaces, along with the following specific entitlements:

1. **Final Environmental Impact Report (SCH# 2013081051).** Certification of the Final EIR for the project.
2. **General Plan Amendment GP-13-02.** Change the land use designation of the 4.17-acre site from Industrial Park to High Density Residential, and text amendment(s) to the City's General Plan to reflect a site-specific density of 58 dwelling units per acre, and a site-specific height of six stories.
3. **Rezone R-13-02.** A rezone (or change) of the zoning classification of the 4.17-acre development site from Commercial Limited (CL) to Planned Development Residential – High Density (PDR-HD).
4. **Zoning Code Amendment CO-13-02.** A zoning code amendment to Costa Mesa Municipal Code Title 13 to allow a site-specific density of 58 dwelling units per acre.
5. **Master Plan PA-13-11.** A Master Plan for development of a five-story 240-unit residential apartment building (63 feet overall height) that wraps around a six-story parking structure (57 feet overall height) with a deviation from: on-site parking requirements (538 parking spaces required; 461 parking spaces proposed).

Mel Lee, Senior Planner, presented the staff report. He advised that staff supported the proposed project and encouraged the Commission to recommend that City Council approve and take final action for the following entitlements: certification of final EIR (Environmental Impact Report), General Plan Amendment, Zone Change, Zoning Code Amendment and Master Plan.

Trina Abbott with Atkins North America, Inc., consulting company who prepared the project's EIR, gave a presentation regarding the CEQA process.

PUBLIC COMMENTS

Joe Flanagan, Red Oak Investment Partner, reported their Design Team (Principals and staff) would be making a presentation on the project. Mr. Flanagan added staff had read the conditions of approval and they were in agreement with them.

R. C. Alley, Architect with Architects Orange, gave an overview of the project's architecture that included the floor plan, unit amenities, courtyards, vehicular entrances, color palettes, etc.

Mark Schattinger, Landscaping Architect with MGS Design Group, provided a rundown of the landscaping that would be used to give the proposed project a sense of privacy. The project included a dog park, basketball court, pool courtyard, relax courtyard, a walking trail and a community garden - the use of organic and natural materials gave the project a genuine feel.

Peter Naghavi, Consultant, reported on the traffic and congestion problems at the intersection of Baker and Pullman. If approved, the developer would provide a traffic signal at the Baker/Pullman intersection, mitigating the only significant impact the project has. The signal would also mitigate the intersection of Baker and Redhill by providing a southbound right-turn lane. Overall, the proposed project would improve the intersection.

Alex Wong, Red Oak Investment Partner, spoke about the cultural and community investment that was achieved when land uses were integrated instead of segregated.

Bill Dunlap, President and Partner of Slater Builders. Inc., was in support of the project. He stated the area has been in transition from light manufacturing to currently a village with churches and schools. He felt the project was a compatible use and would be a great transformation for the area.

Jay Humphrey, Costa Mesa resident, said the General Plan stating nothing over 4-stories should be built south of the 405 Freeway. While the area was appropriate for this type of development, it was south of the 405 Freeway. He encouraged the inclusion of language establishing that this exception would not set precedence.

Cynthia McDonald, Costa Mesa resident, did not feel the project benefitted the residents of Costa Mesa. It was a high-rise development that exceeded height limitations that were put into place to limit the number of high-rise buildings south of the 405 Freeway and would increase the traffic on Baker Street. She asked the Commission to deny approval of the General Plan amendment.

Rick Huffman, Costa Mesa resident, asked what Costa Mesa residents would get in return from this type of project. He wanted to see something mitigating it. Costa Mesa residents were concerned with over-development and not fond of large projects that were being approved. Could the project be down-sized or the developer build a sports complex?

Commissioner McCarthy asked the developer to list some of their impact fees to address the concerns of the public speakers. Mr. Flanagan and Mr. Wong did not have a list of impact fees but stated their fee budget, that would go to special districts (water, schools, drainage, sanitation, etc), was approximately 5 million dollars. They advised the Commission that from a property tax standpoint the property value would be 10-times more than what it currently was and the City would receive a small portion of that tax money. The project would also attract more shoppers to Costa Mesa; hence, the City's revenue would increase as a result of the increase in sale taxes.

Vice-Chair Dickson did not think the area was inappropriate to build to the height that the Airport Land Use Commission allows to build.

MOTION: Based on the evidence of the record, the Planning Commission recommends that the City Council certify the Final Environmental Impact Report for the 125 East Baker Street Apartment Project (State Clearinghouse Number 2013081051). Moved by Vice-Chair Dickson, second by Commissioner McCarthy – (PC Resolution 14-13).

The motion carried by the following roll call vote:

Ayes: Fitzpatrick, Dickson, McCarthy, Mathews, Sesler
Noes: None
Absent: None
Abstained: None

MOTION: Based on the evidence of the record, the Planning Commission recommend that the City Council adopt General Plan Amendment GP-13-02 which amends the Land Use Map of the City of Costa Mesa as contained in Exhibit A and a Text Amendment(s) to the Land Use Element of the City's General Plan contained in Exhibit B with respect to the 125 East Baker Project. Moved by Vice-Chair Dickson, second by Commissioner McCarthy – (PC Resolution 14-14)

The motion carried by the following roll call vote:

Ayes: Fitzpatrick, Dickson, McCarthy, Mathews, Sesler
Noes: None
Absent: None
Abstained: None

MOTION: Based on the evidence of the record and the findings contained in Exhibit A, the Planning Commission recommend that the City Council adopt Rezone R-13-02 for a Rezone (or change) of the Zoning Classification of the 4.17-acre development site for the 125 East Baker Apartment Project from Commercial Limited (CL) to Planned Development Residential – High-Density (PDR-HD) at 125 East Baker Street. Moved by Vice-Chair Dickson, second by Commissioner McCarthy – (PC Resolution 14-15)

The motion carried by the following roll call vote:

Ayes: Fitzpatrick, Dickson, McCarthy, Mathews, Sesler
Noes: None
Absent: None
Abstained: None

MOTION: Based on the evidence of the record, the Planning Commission recommend that the City Council adopt Zoning Code Amendment CO-13-02 to amend Costa Mesa Municipal Code Title 13 for a Site-Specific Density of 58 dwelling units per acre for the 125 East Baker Apartment Project. Moved by Vice-Chair Dickson, second by Commissioner McCarthy – (PC Resolution 14-16)

The motion carried by the following roll call vote:

Ayes: Fitzpatrick, Dickson, McCarthy, Mathews, Sesler
Noes: None
Absent: None
Abstained: None

MOTION: Based on the evidence of the record and the findings contained in Exhibit A, subject to conditions of approval and the mitigation measures indicated in the Mitigation Monitoring Program contained within Exhibits B and C, the Planning Commission recommend that the City Council adopt Master Plan PA-13-11 with respect to the property at 125 East Baker. Moved by Vice-Chair Dickson, second by Commissioner McCarthy – (PC Resolution 14-17)

The motion carried by the following roll call vote:

Ayes: Fitzpatrick, Dickson, McCarthy, Mathews, Sesler
Noes: None
Absent: None
Abstained: None

Chair Fitzpatrick asked staff when the item would go to Council. Mr. Lee advised it would go to the April 15, 2014 Council meeting.